

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MICHAEL STOREY & TERESA STOREY,

Plaintiffs,

v.

No. 08-CV-207 JH/LM

PATROL OFFICER A. GARCIA, et al.,

Defendants.

PLAINTIFFS' STATEMENT OF THE CASE

Plaintiff, Michael Storey, contends Los Lunas police officers Sgt. Thomas Taylor and Officer Adrian Garcia violated his federal civil rights by using excessive force in arresting him on September 7, 2007. The police officers contend the force they used to affect the lawful arrest was reasonable under the circumstances.

Plaintiff, Teresa Storey, contends she was subject to an unreasonable seizure and an unreasonable entry into her home by Officer Robert Ferreyria, when, she alleges, Officer Ferreyria demanded that she get her identification in her home. Officer Ferreyria contends all he did was set foot enough into the house to be able to reach in and close the front door to maintain separation between Mr. And Mrs. Storey. He asserts this was reasonable under the circumstances. He denies ever "seizing" Mrs. Storey.

All Defendants contend their conduct was reasonable. All Defendants deny their conduct caused physical or emotional injuries to the Plaintiffs.

December 13, 2010

Respectfully submitted,

KENNEDY LAW FIRM

/s/ Joseph P. Kennedy

Joseph P. Kennedy
Shannon L. Kennedy
Attorneys for Plaintiff
1000 Second Street NW
Albuquerque, New Mexico 87102
(505) 244-1400

CERTIFICATE OF SERVICE

I hereby certify that on December 13, 2010, this pleading was electronically filed and thereby served on all opposing counsel of record.

/s/ Joseph P. Kennedy

JOSEPH P. KENNEDY